

# EXHIBIT 21



Juno Turner <juno@towardsjustice.org>

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## Advanced Care Staffing, LLC v. Benzor Vidal - Case 01-22-0002-9008

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David Seligman <david@towardsjustice.org>

Wed, Jan 4, 2023 at 7:50 PM

To: MicheleGomez@adr.org

Cc: sasaad@fordharrison.com, sara@sarakula.com, valerie@towardsjustice.org, juno@towardsjustice.org, mvitolo@fordharrison.com, shem15418@gmail.com

Dear Ms Kula and Ms. Gomez,

We are aware that the New York Attorney General recently sent the attached letter to AAA and Ms. Kula stating that the contract provisions that Claimant seeks to enforce in this arbitration "appear invalid and unlawful" under prohibitions against labor trafficking. The New York Attorney General urged AAA to "consider staying" this arbitration.

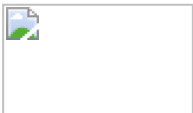
In light of this communication, we write once again to request that Ms. Kula and AAA decline to administer this arbitration or stay it pending resolution of Mr. Vidal's declaratory judgment action in federal court. The continued administration of this proceeding--at least until the federal court rules on the enforceability of the arbitration requirement at issue here--risks running afoul of the TVPA. 18 U.S.C. 1589 (b). Moreover, for all of the reasons Mr. Vidal has explained on repeated occasions, Ms. Kula does not have the authority to rule on whether this dispute is arbitrable because Mr. Vidal challenges the enforceability of the requirement purporting to delegate matters of arbitrability to the arbitrator. Those issues must be resolved by the court before this arbitration can proceed.

We respectfully request a response to this request by Monday, January 9. If you decline to dismiss the arbitration or to stay it pending judicial resolution of the declaratory judgment action, Mr. Vidal will file a motion for preliminary injunction in the federal court case. The federal court has the authority to protect its exclusive jurisdiction to decide whether the arbitration requirement and its purported delegation provision are enforceable, including by issuing an injunction against AAA.

Best,

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**David H. Seligman, Esq.**  
**Executive Director**



Direct Line: (720) 248-8426

Main Line: (720) 441-2236

David@towardsjustice.org

www.towardsjustice.org

### Mailing Address

PO Box 371680, PMB 44465  
Denver, CO 80237-5680

### Office Address

303 E. 17th Avenue, Suite 400  
Denver, CO 80203

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**NYAG letter to the AAA 1.4.2023.pdf**

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